

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

In re SUPPORTSOFT, INC.  
 SECURITIES LITIGATION

Civil Action No.: C 04-5222 SI

CLASS ACTION

This document relates to:

ALL ACTIONS

[PROPOSED] ORDER DIRECTING DISTRIBUTION  
 OF SETTLEMENT FUND

Class Counsel, having moved for an order: (a) authorizing the Claims Administrator to deem as timely otherwise eligible claims that were submitted prior to November 30, 2008 with postmarks after the December 24, 2007 deadline for submitting proofs of claim, as extended by Class Counsel pursuant to leave granted in this Court's Order Preliminarily Approving Settlement And Providing For Notice entered herein on July 13, 2007; (b) authorizing the payment of fees and the reimbursement of expenses to the Claims Administrator, Strategic Claims Services, in the amount of \$79,889.32, to be paid out of the Settlement Fund, for its work in providing notice to the Class and administering the claims process, including estimated fees and expenses to be incurred in connection with the preparation and mailing of checks to the Authorized Claimants identified on Exhibit B-1 to the accompanying Affidavit Of Paul Mulholland, CPA, CVA Concerning Administrative Procedures Performed To Process Claims And The Results Thereof sworn to October 9, 2008 (the "Mulholland Affidavit"); (c) authorizing and directing the distribution of the Net Settlement Fund to the claimants who submitted properly completed proofs of claim together with the supporting documentation required by the Claims Administrator ("Authorized Claimants") as set forth in Exhibit B-1 to the Mulholland Affidavit; and (d) authorizing the donation of any residual, unclaimed balance of the Net

1 Settlement Fund to the Institute for Law and Economic Policy (“ILEP”), a private, non-sectarian,  
2 not-for-profit corporation with Internal Revenue Code § 501(c)(3) tax deductible status; and the  
3 Court having read and considered the motion and the papers submitted in support thereof, and  
4 due consideration having been had thereon, it is ordered as follows:

5 1. Class Counsel and the Claims Administrator, Strategic Claims Services (“SCS”) are directed to deem as timely otherwise eligible claims that were submitted prior to November  
6 30, 2008 with postmarks after the December 24, 2007 deadline for submitting proofs of claim, as  
7 extended by Class Counsel pursuant to leave granted in the Court’s Order Preliminarily  
8 Approving Settlement and Providing for Notice entered herein on July 13, 2007, as reflected on  
9 the schedule annexed as Exhibit B-1 to the Mulholland Affidavit.

11 2. Class Counsel are directed to pay to SCS the sum of \$79,889.32 out of the Settlement Fund for its work and disbursements since September 13, 2007 in providing notice to  
12 the Class and administering the claims process, including preparing and mailing checks to  
13 Authorized Claimants for their share of the Net Settlement Fund. The balance remaining in the  
14 Settlement Fund following the payment to SCS authorized in this paragraph, and following  
15 provision for any taxes owed on earnings of the Settlement Fund shall constitute the Net  
16 Settlement Fund.

18 3. Class Counsel and SCS are authorized and directed to distribute the Net Settlement Fund to Authorized Claimants, including the late claimants whose claims SCS is  
19 authorized to deem as timely pursuant to this Order, in accordance with the schedule annexed as  
20 Exhibit B-1 to the Mulholland Affidavit.

22 ~~4. In the event that there is an unclaimed balance in the Net Settlement Fund 6~~  
23 ~~months after the initial distribution of the Net Settlement Fund to Authorized Claimants and, in~~  
24 ~~the further event that such unclaimed balance is not sufficiently large to make it economically~~  
25 ~~feasible to distribute said unclaimed balance in accordance with the percentage interests of~~  
26 ~~Authorized Claimants, as set forth in Exhibit B-1 to the Mulholland Affidavit, Class Counsel and~~  
27 ~~SCS are authorized and directed to pay such unclaimed balance to the Institute for Law and~~  
28 ~~Economic Policy.~~



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The Honorable Susan Illston  
United States District Judge

Dated: 2/20/09, 2009

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